



UNITED STATES GOVERNMENT

NATIONAL LABOR RELATIONS BOARD

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June 2, 2004

CERTIFIED-RETURN RECEIPT REQUESTED

Weinberg & Weinberg, P.C.
Mr. M. H. Weinberg, Attorney
Suite 205, The Mark
9290 West Dodge Road,
Omaha, NE 68114-3322

RE: Air One Transport of Nebraska, Inc.
Case 17-RC-12250

Dear Mr. Weinberg:

The above captioned case, petitioning for an investigation and determination of representation under Section 9(c) of the National Labor Relations Act has been carefully investigated and considered.

As a result of the investigation, it does not appear that further proceedings on this petition are warranted at this time. The investigation disclosed that on September 28, 2003, the Employer, Air One Transport of Nebraska, Inc., a subsidiary of Air One Transport Group, entered into a contract with DHL, Inc. to provide aircraft loading/unloading services, dock services and package delivery and pick up services for DHL, Inc. in the Omaha, Nebraska area. The investigation further disclosed that on or about May 26, 2004, the Employer completed its contract with DHL, Inc., terminated its employees, and ceased doing business with no plan to resume service to this area in the foreseeable future. Under these circumstances and in the absence of evidence showing that the petitioned for unit is still in existence, it would appear that a question concerning representation cannot be raised at this time. I am, therefore, dismissing the petition in this matter.

See attached copy of Form NLRB-4916 for the procedure applicable for filing a request for review of the foregoing ruling.

Very truly yours,

/s/ D. Michael McConnell

D. Michael McConnell
Regional Director

DMM:wc

Enclosure

cc: Foulston, Siefkin, L.L.P.
Mr. Donald D. Berner, Attorney
Bank of America Center
100 N. Broadway, Suite 700
Wichita , KS 67202

Air One Transport of Nebraska, Inc.
Mr. Ken Turner, Claims Administrator
Post Office Box 2672
Wichita, KS 67201

IBT Local No. 554
Mr. Todd Clapper, Business Agent
4349 South 90th Street
Omaha, NE 68127-1309

**FORM NLRB-4916
(7-91)**

**UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD**

**INSTRUCTIONS FOR FILING REQUEST FOR REVIEW OF
ADMINISTRATIVE DISMISSAL OF REPRESENTATION PETITION**

Pursuant to the National Labor Relations Board Rules and Regulations, Series 8, as amended, you may obtain a review of this action by filing a request therefore with the National Labor Relations Board, addressed to the Executive Secretary, National Labor Relations Board, 1099 14th Street, Northwest, Washington, D.C. 20570. A copy of such request for review must be served on the Regional Director and each of the other parties to the proceeding. This request for review must contain a complete statement setting forth the facts and reasons upon which it is based. The request for review (*eight copies*) must be received by the Executive Secretary of the Board in Washington, D.C., by the close of business at 5:00 p.m. EST (EDT) on June 16, 2004. Upon good cause shown, however, the Board may grant special permission for a longer period within which to file. The request for extension of time should be submitted to the Executive Secretary of the Board in Washington, D.C., and a copy of any such request for extension of time should be submitted to the Regional Director, and to each of the other parties to this proceeding.

The request for review and any request for extension of time for filing must include a statement that a copy has been served on the Regional Director and on each of the other parties to this proceeding, and the copy must be served in the same or faster manner as that utilized in filing the request with the Board. When filing with the Board is accomplished by personal service, however, the other parties shall be promptly notified of such action by telephone, followed by service of a copy by mail or telegraph.